

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION**

**AARON MOSES PENA**

**PLAINTIFF**

**v.**

**CASE NO 2:13CV00075 BSM**

**J. SUTTON**

**DEFENDANT**

**ORDER**

The proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney have been received, along with the objections thereto. After a review of the proposed findings and recommendations and the objections, as well as a *de novo* review of the record, it is concluded that the proposed findings and recommendations are adopted in their entirety, in all respects.

Accordingly, defendant's motion to dismiss, construed as a motion for summary judgment [Doc. No. 24], is granted, and this case is dismissed with prejudice.

IT IS SO ORDERED this 3rd day of June 2014.

  
UNITED STATES DISTRICT JUDGE